

In re:

TERI GALARDI,  
  
Debtor.

Case No. 22-50035-JPS

Chapter 11

\_\_\_\_\_  
ASTRID E. GABBE  
  
Movant.

Contested Matter

v.  
  
JENISEE LONG  
  
Respondent.  
\_\_\_\_\_

**NOTICE OF OBJECTION TO ALLOWANCE OF CLAIM NUMBER 115**

ASTRID E. GABBE HAS FILED AN OBJECTION TO YOUR CLAIM IN THIS CASE.

Your claim may be reduced, modified, or eliminated. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If not served with this notice in accordance with the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure, a copy of the objection may be obtained upon written request to counsel for the debtor or at the Clerk's office.

If you do not want the court to eliminate or change your claim, then you or your attorney shall file with the court a written response to the objection on or before **September 27, 2023**.

Clerk, U. S. Bankruptcy Court  
Middle District of Georgia  
P. O. Box 1957  
Macon, Georgia 31202

**If a response is filed, a hearing on the objection to your claim shall be held on:  
November 1, 2023 at 11:00 a.m. at the United States Bankruptcy Court  
Courtroom A, 433 Cherry Street, Macon, Georgia 31201.**

If you mail your response to the court for filing, you shall send it early enough so the court will **receive** the response on or before the response date stated above.

Any response shall also be served on the objecting party.

**If you or your attorney does not take these steps, the court may decide that you do not oppose the objection to your claim.**

**Parties should consult the Court's website ([www.gamb.uscourts.gov](http://www.gamb.uscourts.gov)) concerning whether the hearing will be in-person, telephonic, or virtual. Please refer to Administrative Order #145 for more guidance.**

This notice is sent by the undersigned pursuant to L.B.R. 3007-1.

DATED: August 28, 2023.

Jason M. Orenstein  
Attorney for Astrid Gabbe  
1922 Forsyth Street  
Macon, Georgia 31208-4086  
(478) 743-6300  
[jmopclaw@yahoo.com](mailto:jmopclaw@yahoo.com)

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**In re:**

**TERI GALARDI,**

**Debtor.**

**Case No. 22-50035-JPS**

**Chapter 11**

**ASTRID E. GABBE**

**Movant.**

**Contested Matter**

**v.**

**JENISEE LONG**

**Respondent.**

**OBJECTION TO PROOF OF CLAIM NO. 115**

Creditor and Interested Party in the above matter, ASTRID E. GABBE (herein “Gabbe”), hereby files this Objection to Proof of Claim No. 115 asserted by Jenisee Long, (herein “Respondent” or “Ms. Long”), and respectfully shows this Court as follows:

1. On January 12, 2022 debtor filed a voluntary petition for relief under Chapter 11. Gabbe and Respondents are creditors/interested parties holding claims against the debtor in the above bankruptcy case.

2. In the years preceding the filing of the debtor’s bankruptcy petition, Gabbe provided legal representation pursuant to a contingency fee agreement with Ms. Long in a claim for damages under the Florida Minimum Wage Act from a lawsuit styled *Darden et al. v. Fly Low, Inc. and Galardi*, Case No. 20-cv-20592-SINGHAL, in the United States District Court for the Southern District of Florida (the “District Court”) and in an arbitration case before the American Arbitration Association, styled as *Jenisee Long v. Teri Galardi*, case number 01-20-0005-4237.

3. In accordance with Florida law, on August 25, 2023, Gabbe filed a charging lien to enforce and perfect her 35% contingency attorney fee interest in Long Claim. Said filing is reflected in the Darden docket and a copy is attached hereto as Exhibit 1.

4. On March 22, 2022, Gabbe filed Proof of Claim No. 105, asserting a claim as an unsecured claim arising from her representation of Long. As detailed above, said amount represents contingency fees of 35% earned from the representation of Long against Debtor Galardi.

5. On March 22, 2022, Gabbe filed Proof of Claim No. 104 on behalf of Long as an unsecured claim. Said amount represents Long's 65% after deducting the 35% attorney fees set forth above.

6. On March 22, 2022, Ms. Long filed Proof of Claim No. 115 in the amount of \$383,832.96. Said claim reflects the full amount of the Long Claim against the Debtor, which does not take into account contingency fees due to Gabbe.

7. On February 28, 2023, Ms. Long filed a Notice of Withdrawal of Claim No. 104 (Doc. 307) ostensibly nullifying the proof of claim filed by Gabbe on Long's behalf.

8. The Liquidating Trustee previously objected to Gabbe's Proof of Claim No. 105 on the basis that it was duplicative. [*See* Doc. 430].

9. Gabbe did not oppose the objection because the Liquidating Trustee represented in the Objection that "[Gabbe's] contingency fees claim would be included in Claim No. 115 filed by Jenisee Long".

10. The Court previously sustained an objection by the Liquidating Trustee as unopposed to Claim 105. [*See* Doc. 464].

11. On July 28, 2023, the Liquidating Trustee filed an adversary proceeding/interpleader action to determine Gabbe's interest in Long's claim. [*See McClendon v. Long et. al.* Case No. 23-ap-5017-JPS]

12. Gabbe now seeks bifurcate and/or reduce Long's claim such that the Liquidating Trustee shall make disbursements to Ms. Long and Gabbe as separate payees.

13. Claim No. 115 filed by Jenisee Long should be reduced to \$249,491.42 and Gabbe's Claim No. 105 should be \$134,341.54, thus totaling \$383,832.96, the full amount of Ms. Long's claim and the attorney fees set forth therein.

WHEREFORE, the Movant requests the following relief:

- (a) That this Objection be sustained;
- (b) That the Liquidating Trustee pay Gabbe the amount of \$134,341.54;
- (c) That Claim No. 115 is modified down to \$249,491.42 and paid to Ms. Long;
- (d) That the Court awards Movant such other and further relief as is just and proper.

This 28th day of August, 2023.

/s/ Jason M. Orenstein  
JASON M. ORENSTEIN  
State Bar # 554302  
Attorney for Astrid E. Gabbe

1922 Forsyth Street  
Macon, GA 31201  
(478) 743-6300  
jason@jmolaw.com

**CERTIFICATE OF SERVICE**

This is to certify that I have on this day electronically filed the foregoing Objection to Proof of Claim No. 115 using the Bankruptcy Court's Electronic Case Filing program which serves the same upon all participants therein who have appeared in the case. In addition, the counsel for Plaintiff has emailed and first class mailed a copy of the foregoing Objection to Proof of Claim No. 115 Jenisee Long [longjenisee@gmail.com](mailto:longjenisee@gmail.com) and 2107 Center St. Covington, KY 41014.

This 28<sup>th</sup> day of August, 2023.

*/s/ Jason M. Orenstein*  
JASON M. ORENSTEIN  
State Bar # 554302  
Attorney for Astrid E. Gabbe

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Macon, GA 31201  
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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION  
Case No. 20-20592-CIV-SINGHAL**

PORSCHE DARDEN *et. al*,

Plaintiffs

v.

FLY LOW, INC. AND TERI GALARDI,

Defendants

\_\_\_\_\_ /

**NOTICE OF FILING AND ASSERTING CHARGING LIEN  
BY THE LAW OFFICES OF ASTRID E. GABBE, P.A.  
FOR ATTORNEYS' FEES AND COSTS**

**NOTICE IS GIVEN** that The Law Office of Astrid E. Gabbe, P.A. ("AG") asserts an attorney's charging lien on the in the above-captioned proceeding, with respect to Plaintiff Jenisse Long ("Long") on all money due from defendants on any such settlement, and any and all assets, property, money or proceeds retained, received or recovered by Long, or any of her assigns. This charging lien claims attorney's fees and costs due AG for legal services rendered to Long against Defendant Teri Galardi. To date, nothing has been paid to the undersigned and \$134,341.54 is due to AG.

**Attorneys for Jenisse Long**

/s/ Astrid E. Gabbe

Astrid E. Gabbe

The Law Office of Astrid E. Gabbe, P.A.

Florida Bar No. 635383

P.O. Box 4216

Hollywood, FL 33083

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of foregoing was served via CM/ECF, email and/or First Class U.S. Mail to the parties on the attached service list as indicated on this 25th day of August, 2023.

**Attorneys for Jenisse Long**

/s/ Astrid E. Gabbe

Astrid E. Gabbe

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Florida Bar No. 635383

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**SERVICE LIST**

**Served via CM/ECF**

All parties of record

**Served via Email and First-Class Mail**

Jenisse Long

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